

February 5, 1975

PRESIDENT: Is there any discussion on the motion? The question is shall LB 163 be advanced to E & R Final. All in favor signify by saying aye. Contrary. The bill is so advanced.

SENATOR DWORAK: Mr. President, I move the adoption of the amendments to LB 139.

PRESIDENT: Is there any discussion? Senator Murphy.

SENATOR MURPHY: Senator Luedtke was to have provided some further information on this bill and I suspended any activity with regard to an amendment. If there is no such information forthcoming, then I suggest my amendment be added to the bill.

PRESIDENT: Would you like Senator Luedtke to respond?

SENATOR MURPHY: His response was that the information would be brought to me relative to this bill and if not, then we are providing budget--

SENATOR LUEDTKE: Yes, I will respond. It's just that I have rechecked--

PRESIDENT: Excuse me, Senator Luedtke, a point of order, Senator Barnett.

SENATOR BARNETT: Yes. Mr. President, would you ask the Clerk, please, that when we do get into this discussion on some of these bills that he might put it up there for our--

PRESIDENT: Thank you. Thank you, Senator Barnett. Proceed Senator Luedtke.

SENATOR LUEDTKE: Yes. LB 139. I have again checked this with our corporation counsel for the city of Lincoln, Mr. Ralph Nelson, who has appeared before the Committee and it is just as I reported to the Legislature in reply to Senator Murphy's question last time. The budget authority of the Director under this bill only goes so far as his setting it up in the budget for the city-county health department, health division and the legislation we are dealing with here is legislation which is the act which allows the city and the county to cooperate in setting up a health department and the budget control of this officer only goes so far as that particular joint operation, setting up a budget. Then that budget, Senator Murphy, must go to the city and the county and they are the ones that approve the budget. In other words, it has to come through the city's allocation of their part of that budget and the county's allocation of their budget so we have the same safeguards as to any part of the city or the county budget. In fact, you've got double safe guards here.

PRESIDENT: Senator Murphy.

SENATOR MURPHY: Then I would presume you would have no reason to object to inserting that, Senator Luedtke. The only problem that I have with this is that in the previous, in the prior law nothing was said about the director having to do with the budget. Now this, the only implication relative to a budget in that section now as it exists is that the director shall not even ask approval of his board but shall review with his board. Now I will grant you that ultimately the county has some control but I would like very much, inasmuch as other sections of that statute providing for other than primary cities, say that that budget shall be approved by the